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| APPLICATION NO.                                                                                                                      | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.           | CONFIRMATION NO.       |
|--------------------------------------------------------------------------------------------------------------------------------------|-------------|----------------------|-------------------------------|------------------------|
| 10/758,954                                                                                                                           | 01/16/2004  | Albert C. Brown      | SVL920065008US2               | 6184                   |
| 47069 7590 02/06/2008<br>KONRAD RAYNES & VICTOR, LLP<br>ATTN: IBM54<br>315 SOUTH BEVERLY DRIVE, SUITE 210<br>BEVERLY HILLS, CA 90212 |             |                      | EXAMINER<br>NGUYEN, VAN KIM T |                        |
|                                                                                                                                      |             |                      | ART UNIT<br>2152              | PAPER NUMBER           |
|                                                                                                                                      |             |                      | MAIL DATE<br>02/06/2008       | DELIVERY MODE<br>PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                               |                              |  |
|------------------------------|-------------------------------|------------------------------|--|
| <b>Office Action Summary</b> | Application No.<br>10/758,954 | Applicant(s)<br>BROWN ET AL. |  |
|                              | Examiner<br>Van Kim T. Nguyen | Art Unit<br>2152             |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on June 24, 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                                                                          |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                              | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                                     | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>August 18, 2004</u> . | 6) <input type="checkbox"/> Other: _____                                                |

### **DETAILED ACTION**

1. This Office Action is responsive to communications filed on January 16, 2004.

Claims 1-26 are pending in the case.

#### ***Information Disclosure Statement***

2. The information disclosure statement (IDS) submitted on August 18, 2004 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

#### ***Drawings***

3. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

#### ***Specification***

4. The disclosure is objected to because of the following informalities:

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference signs mentioned in the description: 118, 202, 132, 414; include the following reference characters not mentioned in the description: 226(a) and 228(a); and missing part of the drawings: Figures 1A, and 4.

Appropriate correction is required.

***Claim Rejections - 35 USC § 101***

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 1-17 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 1-17 fail to fall within a statutory category of invention. As presented in the disclosure, para [0022-0027], it would suggest to one of ordinary skill that the claims may be reasonably implemented as software routines, therefore, claims are rejected as a system of software *per se*, failing to fall within a statutory category of invention.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-8, 11-13 and 15-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Challenger et al (US 6,256,712), hereinafter Challenger, in view of Deitz et al (US 6,928,328), hereinafter Deitz.

Regarding claim 1, Challenger discloses a web content management system, comprising a web content engine configured to access a plurality of components used to define content associated with at least one web site, configured to determine whether one or more of the plurality of components has been modified; and configured to submit a workflow definition to a workflow process engine (e.g., the system configured to access a plurality of objects 3004 (i.e., plurality of components) used to generating Web pages (i.e., content associated with at least one web site); when a change occurs to an object 3004, a trigger monitor 3000 (i.e., workflow process engine) informs cache manager 3001 that an object 3004 in its cache 3003 has changed and the cache manager 3001 could either invalidate or updating object 3004; col. 28: line 46 – col. 29: line 13, Figure 30A).

Challenger discloses substantially all the claimed limitations, except the workflow definition defines one or more ordered operations to be performed by at least one participant in the approval of the one or more modified components.

Deitz teaches an approval process for modified software object (abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Deitz' approval process in Challengers' system to ensure the changes are appropriate before incorporating them into the web design.

Regarding claim 2, Challenger-Deitz also discloses the plurality of components form an ordered structure of the plurality of components and relationships between the plurality of components (e.g., dependencies between objects, i.e., ordered structures and relationships between objects; Challenger: col. 14: lines 30—44) 16).

Regarding claim 3, Challenger-Deitz also discloses a repository for storing the plurality of components and the relationships (objects 3004 are stored in database 2010 and/or cache 3003; Challenger: col. 28: lines 51-58).

Regarding claim 4, Challenger-Deitz also discloses the web content engine is further configured to submit a dependent update workflow definition to the workflow process engine (e.g., Trigger Monitor 3000 can be instantiated either as a Master Trigger Monitor 3000' or Slave Trigger Monitor 3000'' to update or delete requested objects; Challenger: col. 29: line 14 – col. 30: line 50; Figures 30b-c).

Regarding claim 5, Challenger-Deitz also discloses the dependent update workflow definition defines one or more ordered operations to be performed by at least one participant in the re-rendering of web pages incorporating the one or more modified components (Challenger: col. 29: lines 40-59; Figures 30d-e).

Regarding claim 6, Challenger-Deitz also discloses a rendering service configured to render the web site from the plurality of components (e.g., web pages generated from one or more objects 3004; Challenger: col. 28: lines 53-56).

Regarding claim 7, Challenger-Deitz also discloses a deployment service capable of deploying the web site to a target system (e.g., the web pages are deployed to clients via web servers; Challenger: col. 28: lines 49-51).

Regarding claim 8, Challenger-Deitz also discloses the deployment service deploys related components in a single transaction (Challenger: col. 30: lines 51-53).

Regarding claim 11, Challenger-Deitz also discloses the plurality of components comprise an atomic component, a composite component, and a page component (e.g., objects 3004, web server 3080, and web pages; Challenger: col. 28: lines 48-58).

Regarding claim 12, Challenger discloses a web content management system comprising:  
a web content engine configured to access a plurality of components defining content associated with at least one web site (the system configured to access a plurality of objects 3004 used to generating Web pages; when a change occurs to an object 3004, a trigger monitor 3000 informs cache manager 3001 that an object 3004 in its cache 3003 has changed and the cache manager 3001 could either invalidate or updating object 3004; col. 28: lines 46-58, Figure 30A);  
and

a workflow process engine configured to access a plurality of workflow processes defining ordered operations to be performed on one or more of the plurality of components (e.g., trigger monitor configured to notify each cache manager of the objects whose value have changed, and the cache manager can invalidate or updating object 3004; col. 28: line 63 - col. 29: line 13, Figure 30A).

However, Challenger does not explicitly call for at least one participant to render some or all of the at least web site.

Deitz teaches an approval process for modified software object before rendering the object (abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Deitz' approval process in Challengers' system to ensure the changes are appropriate before incorporating them into the web design.

Regarding claim 13, Challenger-Deitz also discloses at least one of the one or more workflow processes comprises a deployment operation (e.g., objects 3004 can be regenerated by DispRegenerate 3130 or deleted by Displnvalidate 3131; Challenger: col. 29: line 60 - col. 30: line 6).

Regarding claim 14, Challenger-Deitz also discloses the deployment operation deploys related components in a single transaction (Challenger: col. 30: lines 51-53).



Regarding claim 16, Challenger-Deitz also discloses the plurality of components comprise a plurality of atomic components defining at least a portion of content of a web site and a plurality of structured components defining at least a portion of structure of a web site that includes a reference to the atomic component and a structured component, wherein each structured component is deemed to be dependent on any component included, by reference, within the structured component (Challenger: col. 28: lines 46-58).

Regarding claim 17, Challenger-Deitz also discloses the plurality of structured components comprise at least a plurality of page components, wherein each page component defines structure and content of a web page (Challenger: col. 28: lines 46-58).

Regarding claim 18, Challenger discloses a method of checking integrity of an update to a web site component that defines a portion of a website, comprising detecting an update of a web site component (e.g., detecting change in an object source; col. 28: lines 63-66 and col. 29: line 40).

However, Challenger does not explicitly call for executing a content approval workflow process to assess whether the updated web site component is approved.

Deitz teaches an approval process for modified software object (abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Deitz' approval process in Challengers' system to ensure the changes are appropriate before incorporating them into the web design

Regarding claim 19, Challenger-Deitz also discloses reviewing a plurality of component relationships to determine components that depend on the updated component; and executing an appropriate dependent update workflow process (e.g., Show Dependent Object Request 3024 is generated to determine the dependency information, and either distributing the new object or deleting an object 3004; Challenger: col. 31: line 31 - col. 32: line 2).

Regarding claims 20-22, Challenger-Deitz also discloses the executing a content approval workflow process comprises executing a content approval workflow process that is capable of including at least one defined operation that asks a participant to accept, edit, or reject, the update to the web site component (e.g., either regenerating or deleting objects 3004; Challenger: col. 29: line 60 – col. 30: line 6, and col. 31: line 31 - col. 32: line 2).

Regarding claims 23-25, Challenger-Deitz also discloses executing a content approval workflow process includes identifying at least one association between the updated component and at least one of a plurality of defined workflow processes (e.g., identifying the dependency information before either distributing or deleting object 3004; Challenger: col. 31: line 31 - col. 32: line 2).

Regarding claim 26, Challenger discloses a method of checking integrity of an update to a web site component that defines a portion of a website, comprising:

detecting an update of a web site component, the web site component being one of a plurality of web site components defining structure and content of a web site, wherein the

plurality of web site components are stored in a multi- level hierarchical structure (col. 28: lines 46-66);

reviewing a plurality of relationships to determine components that depend on the updated component (e.g., Show Dependent Object Request 3024 is generated to determine the dependency information; col. 31: line 55-63); and

executing at least one operation on at least one of the determined dependent components, wherein the at least one executed operation relates to updating the at least one determined dependent component (e.g., either distributing the new object or deleting an object 3004; col. 31: line 31 - col. 32: line 2).

### ***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 9-10 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Challenger-Deitz as applied to claims 8 and 13 above, in view of Chkodrov et al (US 7,107,340),

Challenger-Deitz disclose substantially all the claimed limitations, except if a single transaction fails to properly deploy, the transaction is deemed to have failed and the transaction is rolled back.

Chkodrov teaches if a single transaction fails to properly deploy, the transaction is deemed to have failed and the transaction is rolled back (abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply Chkodrov's teaching in Challenger-Deitz 's system to ensure collecting and storing event data from distributed transactions corresponding to an operation on an instance only after the operation on the instance is succeeds in order to avoid "false" entries.

### *Conclusion*

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Content Delivery Network Using Differential Caching, Kasriel et al (US 7,185,063);

Method, System, and Program for Maintaining Data in Distributed Caches, Johnson (US 6,973,546);

Method and Apparatus to Maintain Consistency Between an Object Store and a Plurality of Caches Utilizing Transactional Updates to Data Caches, Kanaley (US 6,970,981); and

Method and System for Operating a Content Management System, Dabney et al (US 6,643,663).

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Van Kim T. Nguyen whose telephone number is 571-272-3073. The examiner can normally be reached on 8:00 AM - 4:30 PM.

Application/Control Number:  
10/758,954  
Art Unit: 2152

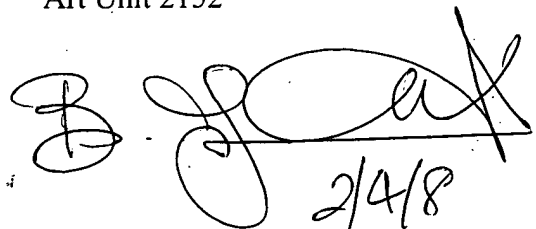
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Van Kim T. Nguyen  
Examiner  
Art Unit 2152

vkn



BUNJOB JAROENCHONWANIT  
SUPERVISORY PATENT EXAMINER